

**STATEMENT OF
THE HONORABLE JAMES L. OBERSTAR
DEFazio AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 1773
FULL COMMITTEE MARKUP
MAY 2, 2007**

- I strongly support the amendment offered by Chairman DeFazio, and I commend him for his work on, and commitment to, this issue.
- H.R. 1773, as amended, limits the authority of the Secretary of Transportation to open the United States-Mexico border to truck and bus traffic. Motor carriers based in Mexico will only be allowed to operate beyond the commercial zones on the U.S.-Mexico border under the pilot program authorized by this bill.
- The pilot program authorized by this bill strikes the right balance. It allows the United States to live up to its commitments under North American Free Trade Agreement (NAFTA) while putting in place robust requirements and protections to safeguard travelers on our roads.
- The pilot program is limited to 100 carriers domiciled in Mexico, with a maximum of 1,000 vehicles which may be used by these carriers.
- The pilot program can only be conducted for a limited timeframe: no more than three years. This time period is consistent with the standard set forth under current law for pilot programs, which was enacted under the Transportation

Equity Act for the 21st Century. This length of time will also allow for adequate data collection to truly test the impact of the pilot program on safety.

- This bill does not provide blanket authority for three years. If the Secretary fails to comply with any provision of the act, the authority to conduct the program terminates. This limitation applies to requirements that must be met before the pilot program starts, as well as reporting requirements to Congress.
- The amendment under consideration includes extensive requirements to hold DOT accountable to Congress and the public before a pilot program can begin. The Inspector General (“IG”) must verify that every requirements of Section 350 of Public Law 107-87 has been met and that Department of Transportation (“DOT”) has sufficient mechanisms in place to apply and enforce safety laws. DOT must also provide the public with an opportunity to comment on a number of issues related to safety, cabotage, and metrics to evaluate the pilot program.
- In addition, the bill ensures that U.S. carriers must be able to conduct comparable operations in Mexico before the pilot program can begin. I am pleased with DOT’s announcement just this week that the Department agrees with this approach and plans to delay the pilot until true reciprocity for U.S. carriers is in place.

- Once the pilot program is launched, we will need to remain extremely vigilant to ensure that carriers participating in the pilot strictly adhere to our safety laws and regulations. To monitor and evaluate the pilot program, the bill authorizes an independent panel and requires the IG and DOT to report on the pilot program and whether it has an adverse effect on safety.
- The Safe American Roads Act represents a comprehensive, sensible approach to cross-border surface transportation. It will provide the U.S. with an opportunity to test, evaluate, and learn from the impacts of allowing Mexico-domiciled trucks on our nation's highways, but only once a strict set of prerequisites are met.
- I strongly urge support for this amendment.